

BEST AVAILABLE COPY

COMBINED DECLARATION  
AND POWER OF ATTORNEYAttorney Docket No.  
25658-0003AB

As a below named joint inventor, each of us hereby declares as follows:

My residence, post office address and citizenship are as stated below next to my name.

I believe that I am an original, first, and joint inventor of the subject matter which is claimed and for which a patent is sought on the invention entitled:

**METHODS AND DEVICES FOR PROVIDING ANTI-INFECTIVE ACTIVITY  
TO A MEDICAL DEVICE**

the specification of which was filed with the Patent & Trademark Office on June 2, 2000 as Application No. 09/585,911.

I state that I have reviewed and understand the contents of the above-identified specification, including the claims.

I acknowledge the duty to disclose information of which I am aware that is material to the examination of this application in accordance with 37 CFR 1.56.

I hereby appoint the following attorneys to prosecute this application and to transact all business in the United States Patent and Trademark Office connected therewith:

William B. Anderson, Reg. No. 41,585  
 Victoria L. Boyd, Reg. No. 43,510  
 Y. Ping Chow, Registration No. 30,740  
 James A. Fox, Reg. No. 38,455  
 Derek P. Freyberg, Registration No. 29,250  
 Walter Kurz, Registration No. 37,373  
 Edward J. Lynch, Reg. No. 24,422  
 Priscilla H. Mark, Reg. No. 41,970  
 William Schmonsees, Registration No. 31,796  
 Herwig von Morzé, Registration No. 29,484

Address all written correspondence to:

Heller Ehrman White & McAuliffe LLP  
 275 Middlefield Road  
 Menlo Park CA 94025.

Direct all telephone calls to:

Derek P. Freyberg, at (650) 324-7014.

## BEST AVAILABLE COPY

COMBINED DECLARATION  
AND POWER OF ATTORNEYAttorney Docket No.  
25658-0003AB

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of this application or any patent issuing thereon.

## FIRST JOINT INVENTOR

## INVENTOR'S SIGNATURE

## DATE

Terrence R. Green



2/11/01

## RESIDENCE

Lake Oswego, Oregon

## CITIZENSHIP

United States of America

## POST OFFICE ADDRESS

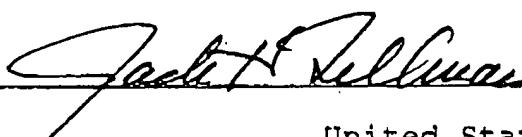
555 Pierce Street, #1533D  
Albany, California 94706

## SECOND JOINT INVENTOR

## INVENTOR'S SIGNATURE

## DATE

Jack Fellman



2/11/01

## RESIDENCE

McMinnville, Oregon

## CITIZENSHIP

United States of America

## POST OFFICE ADDRESS

4347 Othello Drive  
Fremont, California 94555



# BEST AVAILABLE COPY

Form 1-46 (modified)

1:3-92

U.S. Department of Commerce

Patent and Trademark Office

## RECORDATION FORM COVER SHEET PATENTS ONLY

To the Honorable Commissioner of Patents and Trademarks:  
Please record the attached original documents or copy thereof.

1. Name of conveying party(ies):

1. Terrence R. GREEN  
2. Jack FELLMAN

Additional name(s) of conveying party(ies) attached?  Yes  No

3. Nature of conveyance:

ASSIGNMENT - copy (1 page)

Execution Date: 1, 2: 2/11/2001

2. Name and address of receiving party(ies):

Name: OxiBio, Inc.

Internal Address:

Street Address: 4640 SW Macadam, Suite 40  
Portland OR 97201

Additional name(s) & address(es) attached?  Yes  No

4. Application number(s) or patent number(s):

Attorney Docket No. 25658-0003AB

If this document is being filed together with a new application, the execution date of the application is:

A. Patent Application No.(s)

App. No. 09/585,911

B. Patent No.(s)

Additional numbers attached?  Yes  No

5. Name and address of party to whom correspondence concerning document should be mailed:

6. Total number of applications and patents involved:

1

Name: Heller Ehrman White & McAuliffe LLP

Internal Address:

Street Address: 275 Middlefield Road

City: Menlo Park State: CA Zip: 94025-3506

7. Total fee (37 CFR 3.41)..... \$ 40.00

Enclosed

Authorized to be charged to deposit account

8. Deposit Account Number:

08-1641

9. Statement and signature.

*To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document.*

Derek P. Freyberg, Reg. No. 29,250

Name of Person Signing

Signature

Total number of pages including cover sheet, attachments and document: [ 2 ]

2/15/01

**BEST AVAILABLE COPY****PATENTS**  
Attorney Docket No. 25658-0003ABASSIGNMENT

WHEREAS, We, Terrence R. Green and Jack Fellman, of Lake Oswego and McMinnville, respectively, both of Oregon have invented certain subject matter entitled "Methods and devices for providing anti-infective activity to a medical device" (the "Invention") for which We have filed Application Number 09/585,911 for Letters Patent of the United States of America on June 2, 2000.

AND WHEREAS, OxiBio, Inc., having an address at 4640 SW Macadam, Suite 40, Portland, Oregon 97201 ("OxiBio") desires to perfect its right to the Invention and in the Letters Patent to be obtained therefor from the United States of America and all countries foreign thereto;

NOW, THEREFORE, in exchange for good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, We acknowledge OxiBio's interest in the Invention and hereby assign to OxiBio for the United States of America and for all countries foreign thereto, all our right, title and interest, including all rights under the Paris Convention for the Protection of Industrial Property, in the Invention, as described in Provisional Application No. 09/585,911, or in any non-provisional application, continuation, division, reissue, reexamination or extension thereof and any legal equivalent thereof in a country foreign to the United States of America; the Invention, application and Letters Patent to be owned by OxiBio's successors, assigns and legal representatives, to the full end of the term for which such Letters Patent may be granted.

This assignment is effective as of June 4, 2000.

We have read and understand this Assignment for Application 09/585,911 and agree hereto, as indicated by our signatures below.

Signature Terrence R. Green

Date 2/11/01

Terrence R. Green

Signature Jack Fellman

Date 2/11/01

Jack Fellman